

ARCHIBALD JACKSON.

JANUARY 13, 1832.

Mr. MARSHALL, from the Committee on Private Land Claims, made the following

REPORT:

*The Committee on Private Land Claims, having been instructed by resolution of the House, (December 21, 1831,) to inquire into the expediency of allowing Archibald Jackson, the bounty land, to which James Gammons, deceased, a slave of said Jackson, was entitled for services during the late war with Great Britain, report:*

That, at the second session of the twenty-first Congress, the Committee on Private Land Claims was directed, by order of the House, to enquire into the same subject, and on the 12th day of February, 1831, reported a bill providing for issuing a land bounty warrant to Archibald Jackson, on account of the services and death of his slave, James Gammons. The present committee concurs in the opinion, that Jackson is entitled to receive the bounty land; refers for particulars to the report of the former committee; and presents, for the adoption of the House, the accompanying bill.

FEBRUARY 12, 1831.

*The Committee on Private Land Claims, to which was referred the resolution of the House of the 31st December, 1830, directing the committee to enquire into the expediency of allowing Archibald Jackson the bounty land due to James Gammons for services in the late war, report:*

That they have had the subject under consideration. It appears that the said James Gammons enlisted as a private soldier in the 11th regiment of infantry of the United States, on the 18th of June, 1812, for the period of five years, and continued in the service for the time of his enlistment till the 19th of February, 1813, when "he died in the service of the United States." The act of Congress under which Gammons was enlisted, allows to "the heirs and representatives of non-commissioned officers or soldiers who enlisted for five years, and who died in the service of the United States, three months' extra pay and 160 acres of land." At the time of his enlistment and service, Gammons was the slave of the said Archibald Jackson, who never consented to the enlistment, but permitted him to remain in the service. Jackson, as the owner of Gammons, after his death claimed the extra and back pay, amounting to \$37 42, and the bounty land. The pay was allowed

by the War Department, and paid to Jackson, but the committee are informed that the department refuse to grant Jackson a warrant for the bounty land due to Gammons, because he was a slave at the time of his enlistment and service. A claim similar to that of Jackson for pay was allowed to the owner of the slave by the department in 1823, but the committee are informed no bounty land was allowed in that case.

It appears to the committee that the services rendered by Gammons were as valuable as those of any other soldier: he performed the same services and duty, and the United States are just as much bound to pay for those services as if rendered by another. And the only question is, who are legally entitled to the pay and bounty land due to Gammons? If Jackson had a legal right to the back and extra pay due to Gammons, (and the committee think he had,) the committee cannot conceive any reason why the bounty land should not, also, be allowed to Jackson. The right to both accrued under the same law, both were due for the same services, and the claim to both rests on the same principles. The owner of the slave is entitled to all his property, and, so far as property is concerned, is the legal representative of the slave. Hence, Archibald Jackson, is the legal representative of Gammons, by the words of the law, is entitled to the bounty land due to Gammons, as well as the pay due him. The committee, therefore, report a bill directing the Secretary of War to issue a warrant to said Archibald Jackson for said bounty land.